

Senate amendment to
House File 682

H-1427

1 Amend House File 682, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 3, by striking lines 7 through 11 and inserting:

4 <4. A person who is not a certified real estate appraiser
5 under this chapter but who is licensed under chapter 543B may
6 be compensated in the course of business for providing an
7 estimate of the probable selling price or leasing price of a
8 particular parcel of real estate or interest in real estate as
9 a comparative market analysis or a broker price opinion. Such
10 a comparative market analysis or broker price opinion shall not
11 be considered an appraisal for purposes of this chapter and
12 shall not be prepared for any purpose in lieu of an appraisal
13 when an appraisal is required by federal or state law.>

14 2. Page 5, after line 2 by inserting:

15 <Sec. _____. Section 543D.22, subsections 1 and 3, Code 2021,
16 are amended to read as follows:

17 1. a. The Subject to paragraphs "b" and "c", the board may
18 require a national criminal history check through the federal
19 bureau of investigation for applicants for certification or
20 registration, or for persons certified or registered, under
21 this chapter, if needed for credibility, to comply with
22 federal law or regulation, or the policies of the appraisal
23 qualification board of the appraisal foundation. The board
24 may alternatively require a national criminal history check
25 through the nationwide mortgage licensing system and registry,
26 as defined in section 535D.3, when conducting background
27 investigations under this section, if authorized by applicable
28 federal law or regulation.

29 b. The board shall not require a national criminal
30 history check through the federal bureau of investigation
31 for applicants for upgraded certification or registration
32 if the applicant applies for the upgraded certification or
33 registration within twenty-four months following the date the
34 applicant obtained their original certification or registration
35 under this chapter.

1 c. By signing and submitting to the board a statement
2 declaring that there have been no changes to the applicant's
3 criminal history since the date of the waiver specified
4 in subsection 4, and that there are no active or pending
5 complaints in any state against the applicant, any of the
6 following individuals may seek a waiver of the board's
7 requirement to undergo a national criminal history check:

8 (1) An applicant for upgraded certification or registration
9 who obtained their original certification or registration under
10 this chapter more than twenty-four months prior to applying for
11 the upgraded certification or registration.

12 (2) An applicant for upgraded certification applying to the
13 board under a reciprocity agreement.

14 3. a. The Subject to paragraphs "b" and "c", the board
15 may also request and obtain, notwithstanding section 692.2,
16 subsection 5, criminal history data for applicants, certificate
17 holders, and registrants. A request for criminal history
18 data shall be submitted to the department of public safety,
19 division of criminal investigation, pursuant to section 692.2,
20 subsection 1.

21 b. The board shall not request or obtain criminal history
22 data for applicants for upgraded certification or registration
23 if the applicant applies for the upgraded certification or
24 registration within twenty-four months following the date the
25 applicant obtained their original certification or registration
26 under this chapter.

27 c. By signing and submitting to the board a statement
28 declaring that there have been no changes to the applicant's
29 criminal history data since the date of the waiver specified
30 in subsection 4, and that there are no active or pending
31 complaints in any state against the applicant, any of the
32 following individuals may seek a waiver of the board's request
33 to obtain criminal history data:

34 (1) An applicant for upgraded certification or registration
35 who obtained their original certification or registration under

1 this chapter more than twenty-four months prior to applying for
2 the upgraded certification or registration.

3 (2) An applicant for upgraded certification applying to the
4 board under a reciprocity agreement.

5 Sec. _____. APPLICABILITY. The following applies to
6 applications for original certification or registration and
7 renewal certification or registration that are submitted to the
8 real estate appraiser examining board on or after the effective
9 date of this Act:

10 The section of this Act amending section 543D.22.>

11 3. Title page, by striking line 2 and inserting
12 <certification law, making penalties applicable, and including
13 applicability provisions.>

14 4. By renumbering as necessary.